

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

KYLE FELLERS, ANTHONY FOOTE,
NICOLE FOOTE, and ELDON RASH,

Plaintiffs,

v.

MARCY KELLEY, Superintendent of
Schools, State Administrative Unit 67, in
her official and individual capacities;
MICHAEL DESILETS, Athletic
Director, Bow High School, in his official
and individual capacities; MATT FISK,
Principal, Bow High School, in his
official and individual capacities;
PHILLIP LAMY, Lieutenant, Bow Police
Department, in his individual capacity;
STEVE ROSSETTI, soccer referee, New
Hampshire Interscholastic Athletic
Association, in his individual capacity;
and BOW SCHOOL DISTRICT;

Defendants.

Case No.

DECLARATION OF NATHAN J. RISTUCCIA
IN SUPPORT OF MOTION TO ADMIT COUNSEL *PRO HAC VICE*

I, Nathan J. Ristuccia, declare as follows:

1. I am an attorney with the Institute for Free Speech, a nonprofit public interest law firm.
2. I submit this declaration in support of Richard J. Lehmann's motion for my admission to practice *pro hac vice* in the above-captioned matter.
3. I will be associated with Richard J. Lehmann in this matter.

4. I am a member in good standing of the bars of the Commonwealth of Virginia since 2022; the U.S. Court of Federal Claims since 2023; the U.S. Court of Appeals for the Fifth Circuit since 2023; the U.S. District Court for the Western District of Texas since 2024; and the U.S. Court of Appeals for the Ninth Circuit since 2024.
5. I am in good standing and eligible to practice in every jurisdiction and court in which I am admitted to practice, and I am not currently suspended or disbarred in any jurisdiction.
6. There are no pending disciplinary proceedings against me in any state or federal court, nor has any discipline ever been previously imposed on me.
7. I have not been convicted of a felony or misdemeanor.
8. I have not been censured, suspended, disbarred, or denied admission or readmission by any court.
9. I have never had *pro hac vice* status denied or revoked by any court.
10. I am currently practicing *pro hac vice* in the U.S. District Court for the District of New Hampshire in one other case: Scaer et al. v. City of Nashua, et al., Case No. 1:24-cv-00277-LM-TSM.
11. My attorney registration number is Virginia 98372.
12. As a result, I respectfully request to be permitted to appear as counsel and advocate *pro hac vice* for Plaintiffs Kyle Fellers, Anthony Foote, Nicole Foote, and Eldon Rash.

Executed under penalty of perjury on September 29, 2024.

Dated: September 29, 2024.



Nathan J. Ristuccia¹
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